

**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

**NOTICE OF APPEAL, REQUEST FOR
EXTENSION, AND TRANSMITTAL OF
RESPONSE**

Docket Number
2345/210

Application Number
10/530,628

Filing Date
March 20, 2006

Conf. No.
6988

Examiner
**Dzung D.
Tran**

Art Unit
2613

Title
**DEVICE AND METHOD FOR ADJUSTING
CHROMATIC DISPERSION**

Applicant(s)
Arnold Mattheus, et al.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web submission with attention to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: October 13, 2010

Signature: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action of April 13, 2010, finally rejecting claims 23 to 27, 29 to 33, 35, and 38 to 46. Applicants believe that claims 23 to 27, 29 to 33, 35, and 38 to 46, should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office. This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by three months.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$540.00**, and the extension fee amount of **\$1110.00** to the deposit account number **11-0600** of **Kenyon & Kenyon LLP**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon LLP**.

Dated: October 13, 2010

CUSTOMER NO. 26646

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